

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRIARWOOD INVESTMENTS, INC.,	:	Civil Action No. 1:07-cv-08159-LLS
Individually and On Behalf of All Others	:	
Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
CARE INVESTMENT TRUST INC., F.	:	
SCOTT KELLMAN, ROBERT O'NEILL and	:	
FLINT D. BESECKER,	:	
	:	
Defendants.	:	
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LEAD PLAINTIFFS' NOTICE OF MOTION FOR PARTIAL RECONSIDERATION
OF THE COURT'S DECEMBER 4, 2009 RULING

PLEASE TAKE NOTICE that Lead Plaintiffs UNITE HERE National Retirement Fund and Norfolk County Retirement System (“Plaintiffs”) will move this Court, on a date and at such time as may be designated by the Court, for an Order, pursuant to Local Civil Rule 6.3 and Rules 59(e) and 60(b) of the Federal Rules of Civil Procedure, granting reconsideration of this Court’s ruling at the December 4, 2009 status conference, together with such other, further or different relief as this Court deems just and proper. In support of this Motion, Plaintiffs submit herewith a Memorandum of Law and Declaration of Joseph Russello, dated December 18, 2009, with exhibits.

DATED: December 18, 2009

COUGHLIN STOIA GELLER
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DAVID A. ROSENFELD
JOSEPH RUSSELLO

/s/ Joseph Russello

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